

1 THE HONORABLE ROBERT S. LASNIK

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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 SWINOMISH INDIAN TRIBAL
11 COMMUNITY, a federally recognized Indian
12 tribe,

13 Plaintiff,

14 v.

15 BNSF RAILWAY COMPANY, a Delaware
16 corporation,

17 Defendant.

No. 2:15-cv-00543-RSL

**STIPULATION AND ORDER
REGARDING BRIEFING SCHEDULE
FOR BNSF RAILWAY COMPANY'S
MOTION FOR CERTIFICATION
PURSUANT TO 28 U.S.C. § 1292(b)
AND TO STAY PROCEEDINGS**

18 **STIPULATION**

19 BNSF Railway Company ("BNSF") filed its Motion for Certification Pursuant to 28
20 U.S.C. § 1292(b) and to Stay Proceedings ("the Motion") on March 29, 2018. *See* Dkt. No.
21 96.¹ Pursuant to Local Rule 7(d)(3), plaintiff presently has until April 9, 2018 to respond to the
22 Motion, and BNSF must file its reply brief by April 13, 2018. The parties agree that there is
23 good cause to adjust the current briefing schedule and respectfully request that the Court enter
24 an order extending the briefing schedule as set forth below.

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26 ¹ BNSF re-noted the Motion, *see* Dkt. No. 97, for April 13, 2018.

1 The parties have met and conferred, and counsel for both parties have previously
2 planned vacations over the coming weeks that fall within the Motion's current briefing
3 schedule. The parties accordingly request the Court extend the Motion's briefing schedule
4 slightly, which will not meaningfully delay this proceeding or cause prejudice to either party.

5 Subject to the Court's approval, the parties agree as follows: (1) the Motion will be re-
6 noted for April 27, 2018; (2) Plaintiff will file/serve its response to the Motion no later than
7 April 19, 2018; and (3) BNSF will file/serve its reply brief no later than April 27, 2018.

8 Respectfully submitted this 3rd day of April, 2018.
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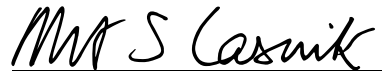
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ORDER

It is so ORDERED.

Dated this 4th day of April, 2018.



Robert S. Lasnik
United States District Judge